HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.26625 of 2001

Dated 4th day of July, 2007

Between:

Toddy Tappers Cooperative Society, Dhanwada,
rep. by L.Balaiah, Dhanwada ..
Petitioner

And

The Prohibition & Excise Superintendent,
Mahabubnagar District, Mahabubnagar ..
Respondent

O R D E R:

This writ petition is filed seeking a mandamus to declare the Proceedings dated 20.11.2001 issued by the respondent, as arbitrary and illegal.

The case of the petitioner-co-operative society is that its members eke out their livelihood on toddy tapping business and it has a valid licence up to 31.3.2002 as per excise policy for the year 2001-2002. Now, the grievance of the petitioner-society is that during the inspection conducted on 11.4.2001, the Prohibition and Excise officials at TCS Dhanwada, registered a case against the petitioner alleging that the toddy which was sold by it, was adulterated with Chloral Hydrate and the respondent, without giving any show cause notice, hastily issued the proceedings dated 20.11.2001 cancelling the petitioner's licence on the ground that lease period was over by 30.9.2001.

This Court, on 31.12.2001, while ordering Rule Nisi, suspended the proceedings, dated 20.11.2001 passed by the respondent. However, in the counter affidavit it is submitted that the petitioner's licence was valid only for the excise year 2001-2002 and the same expired on 31.3.2002, thereafter, the petitioner has not given any application seeking renewal of its licence.

In the light of the above, this Court is of the view that no orders are required to be passed in this writ petition.

Hence, I see no merits in this writ petition and the same is dismissed. No costs.

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04.07.2007

bcj